

**DIVISION OF THE HUMANITIES AND SOCIAL SCIENCES
CALIFORNIA INSTITUTE OF TECHNOLOGY**

PASADENA, CALIFORNIA 91125

WOMEN AND THE LEGITIMISATION OF SUCCESSION
AT THE NORMAN CONQUEST

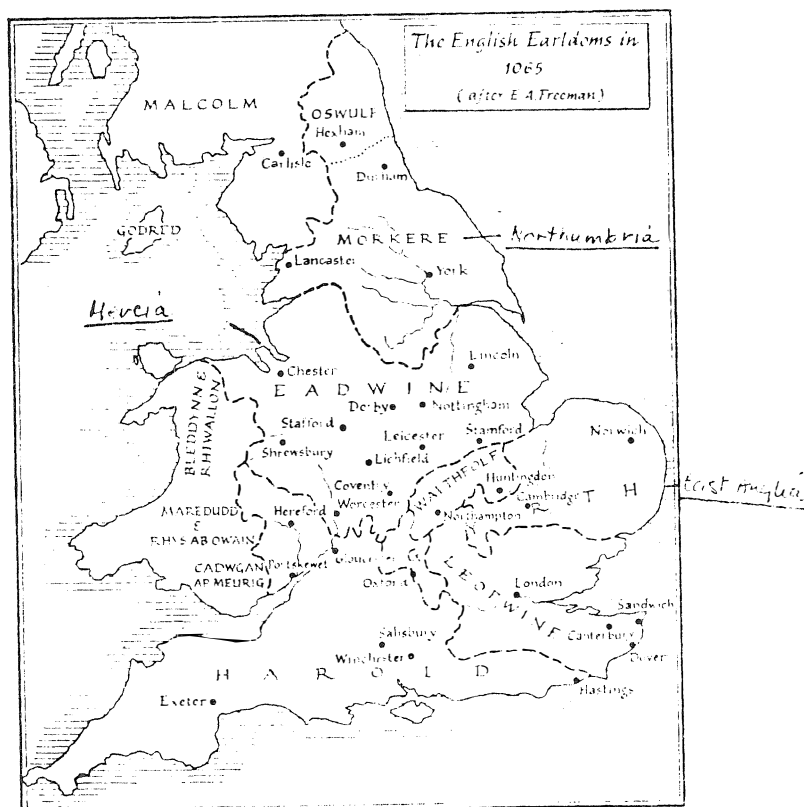
Eleanor Searle



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ABSTRACT



Marriage in the European military classes of the eleventh-century entailed a transfer of property and the commencement of a new family that had claims to inheritance. This being so, it is argued that the arrangement of women's marriages within vassal-groups would have been subject to the same 'public' scrutiny as was male inheritance. Evidence is presented that suggests that this was the case, and that at the arrangement of a woman's marriage the inheritance of her family might be channeled through her to her husband, if he were preferable to lord and vassal-group to the males in the family. This model of marriage and inheritance is then applied to the evidence of the Norman conquest of England. Two marriage-patterns emerge. First, lesser lords and knights legitimised their occupation of Anglo-Saxon manors assigned them by their lords, through the means of marriage to Anglo-Saxon women, declared to be heiresses. Secondly, among the magnates, legitimisation of membership in their group remained the point, and pattern, of marriage. Norman magnates who employed the first pattern of legitimisation did not marry the daughters of the Anglo-Saxon magnates, but lived with them, in unions accepted by the natives, but not presented to their own group for approval. The few Anglo-Saxon magnates who survived were denied marriage with Norman women, for, it is argued, such marriages would have involved acceptance in the magnate-group of Normans. William the Conqueror attempted to secure such legitimisation for the English, but failed to convince his vassals. The interests of the king/duke and his great Norman vassals are thus shown to have been in opposition: he appears to have wished the English earls to remain in possession, while his vassals wished to displace them. His acquiescence suggests that the power of a vassal-group over its lord -- the 'constitutional' power to advise, consent and deny consent -- was highly developed at an earlier time than is usually assigned it.

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Eleanor Searle

'Did not Rou, my ancestor and founder of our people, along with our ancestors, defeat the French king? . . . nor could the French king hope for safety until he had humbly bestowed both daughter and the land called by you Normandy.'

William the Conqueror addressing his barons on the eve of the battle of Hastings: Huntingdon, 201

Historians are faced not only with the search for new data, but with the continual need to reexamine the assumptions they bring to their interpretation of data. This is peculiarly necessary for medievalists. Men do not necessarily articulate the logic of their social choices, and we are in constant peril of attributing our own assumptions to men and women unlike us, and thus misunderstanding the normal operation of their institutions.

For several years now, I have been trying to look anew at some problems in inheritance in feudal society through the light thrown on the institution by control over women's marriage.¹ Henry I's coronation charter of 1100 takes the matter very seriously; it is the third capitulum, coming after control over the church and male inheritance. 'If any baron or any of my men should wish to arrange a

marriage for his daughter, sister, neice or cousin (cognatam) let him speak to me about it. But I will not take anything from him for this permission, nor will I forbid him to give her, save if he should wish to marry her to my enemy.' He then of course promises to arrange the marriage of the orphaned heiress with the counsel of his barons.²

I propose taking the statement very seriously too, as an expression of good lordship -- and not just of good royal lordship. A male with a claim to inherit could be controlled directly, for he would one day present himself for acceptance as vassal and peer. A woman, if she were ever to be declared an heiress, had to be controlled at the moment of her marriage -- from the first to the last of them.³

Now, the chronicles of the Norman conquest take marriage very seriously. Indeed, once one begins to examine them, marriage is a continuing theme of the Norman settlement in England. I would argue that if we too take their theme seriously, we will see a modified picture of the politics, perhaps even something new about the chronology, and the means of reducing the violence, of that settlement. The attempt to see whether they have anything to tell us should be made if only because men at the time took them seriously. They were in the process of forming political institutions out of the raw materials of family and war-band loyalty. Marriage among them was carefully arranged. It certainly entailed a transfer, with the bride, of possessions and claims to inheritance. That being so, marriage within any vassal group was necessarily political, for it involved a

shift in the resources by which the group maintained itself. It involved an acceptance of the woman's husband as a legitimate holder of that resource and perhaps more importantly a legitimate claimant to membership in the group should the men of the family die or prove themselves unworthy as heirs. If marriages are looked at in this way, I propose that it is inconceivable that they could have taken place without a group acceptance, and this was no doubt particularly true of great marriages. Nothing was more constantly anxious than inheritance and recruitment, and marriage entailed both. Inheritance in the seignorial world of the eleventh-century could be neither automatic nor governed by rigid rules. From the lord's point of view this is easy enough to see, for he could not afford an ineffective, hostile or even unreliable vassal. But it is as true of the vassal group. A lord's vassals -- the claimant's prospective peers -- had an anxious interest in the claimant's qualities. No vassal group could well afford to have members who were in themselves incapable, or unable to inspire and hold the loyalty of their own men. The unstable man, even the unknown man, was unthinkable as an heir, because he was unthinkable as a peer. We concentrate on the lord when we think of the warrantor of a vassal's land. But, by the very logic of feudal power, he did not act alone. A unilateral decision by a lord was a dangerous matter for him because ultimately his group of vassals were the strength of his arm. The vassals relied upon one another as a court where their advice and assent made them as well as their lord the warrantors of one another's secure possession and of the peaceful succession of their children. Admittance to membership in such an

interdependent group was the only right a man could possibly have to a share in the resources by which that group protected itself. A man did homage to his lord for his land, but no wise lord would take homage without a decision of his court of vassals: their declaration that X is heres.

Inheritance is recruitment, then. Security implied the necessity of continuing to demonstrate the qualities that secured acceptance. Just as the rules of inheritance were of necessity flexible, so tenure could not be unquestioned. It is important to remember this lest we overestimate the seriousness of the fault that might lead to dispossession. The fault of Mabel of Belleme's father, William Talvas, was not that he was disloyal to his Norman lord and peers. It was that he could not control his disloyal son, Arnold. We do not know why his son Oliver was unacceptable as his heir -- but he was so. The sister, Mabel, was the heir, and Oliver was thereafter maintained within the family until old age when he became a monk. Oliver may have been moved by the example of his merry uncle who had resigned the lordship and part of its lands, and had preferred to be bishop of the lordship's diocese. The cost of inheriting was not low, and there must have been sons who preferred not to pay so dearly. To the Norman duke and his magnates, Mabel was perhaps the preferable heir because she could be married to the formidable and loyal Roger II of Montgomery.⁴ The distribution of resources was a decision in which many needed to participate.

In such a world we cannot continue to imagine that men could

lay down rigid rules for the purpose of defining a unique heir, not even a male heir. But they could, and did, insistently define legitimate claimants, a 'pool' of heirs. Battles over succession could, in this way, be limited. The castle of Roger de Mortemer of the 1050s was taken from him -- not because he had betrayed his lord, but because he had received into that castle his lord's enemy. But Roger was left a powerful baron, quite powerful enough to make trouble. He did not. And part of the reason must be that the castle was not given out again to just anyone. William de Warenne, who succeeded Roger, was carefully called 'consanguineus eius, tiro legitimus': of the acceptable pool of heirs.⁵ Neither Mabel's father, brother nor uncle made trouble when the great Belleme lordship was channelled through a female. We think of broilsome Norman lords -- and so they were -- but in their broilsomeness and insecurity they sought, and even abided by, tenure decisions lent legitimacy by the elevation to the inheritance of one of a finite number of 'rightful' heirs. It was as true in the Anglo-Scandinavian kingdom they were shortly to conquer. King Cnut's loyal Dane, Siward, married the daughter of the older Anglo-Saxon house that had been earls of Northumbria. In Earl Waltheof and his brother, their sons, true legitimacy was achieved. The in-coming of the foreigner was a moment of great danger to such fragile polities. Even as late as the fourteenth-century the necessity of, and means of, legitimising such entrance was understood. In the legend of the 11,000 virgins we read that Conan, conqueror of Brittany, caused their tragedy because he wanted wives for his men, and was foolish enough to object to their

marrying Breton girls even

To have cleyrn thorow heritage,
Ne dowarye thorow mariage.⁶

Rights of inheritance can, this realizes, be channelled through women, whether or not men exist in the 'pool' of heirs. If so, then we must revise our notions, and look at the women of the Conquest for new evidence of continuity or discontinuity.

The group that conquered England faced there the old problems of legitimacy in ways that exacerbated their difficulty. These are problems faced not by William, but by his vassals, the group on whose cohesion and mutual trust would depend the success of the conquest and their own enrichment. Let me identify what I take to be three major aspects of the problem of legitimacy faced between 1066 and 1100. First there was the problem of allowing entrance to their group to men -- especially Englishmen -- who accepted their lord and were accepted by him -- for here their lord's interest differed from his vassals'. This is related to the more obvious legitimisation: the acceptability to the English of new lords. And this in turn is related to the third problem, that of the dispossession of families from land. The conquest was a brutal business, but total disinheritance in the eleventh-century was more dangerous than we may imagine: indeed so disruptive that it was avoided whenever possible.⁷ Finally, the conquerors faced the problem of their own heirs. For them, in large measure, England had been conquered. But every generation had

required much testing and some rejecting before trust could be established. So it would be for the heirs of the conquerors. Let us look at these problems of vassalage and legitimacy through what I propose as the traditional means of their solution -- the control of family -- and we shall see why marriages, achieved and failed, are such an important theme in the tale of the Norman conquest.

I NORMAN VASSALS, ENGLISH KING

The theme of arranged and controlled marriage begins, appropriately, in the negotiations preceding the death of Edward the Confessor. Harold, earl of Wessex, had a wife, Edith Swanneck, no less a wife and the mother of no less legitimate children because their union was 'more Danico'.⁸ But Harold had not yet married 'in matrimonio Christiano more', in Robert of Torigny's phrase.⁹ And so he was free to entertain the proposal of such a marriage to Duke William's daughter, as the early sources agree he did.¹⁰ They agree too that marriage involved a formal relation between the giver and the receiver of the woman, that it was a channel of claims to property, and as such, necessarily subject to control. William of Malmesbury puts in Harold's mouth a version of marriage-formation that his hearers would have recognized as necessary for so great an earl. When he breaks off the betrothal Harold denies that it could have been binding on him: just as it would be judged ineffectual for a girl in her parents' custody to vow the disposal of her body in marriage without her parents' knowledge, he says, so would such a promise be pointless for him who lived sub virga regis, under the discipline of

the king.¹¹ The greatest earl, because his family would be so great, had, in the way of marriage no more freedom than the littlest girl.

This is dwelling long upon a marriage that never took place and may never have been planned, but the earliest versions of the supposed arrangements tell us clearly just how significant such arrangements were thought to be. Such a marriage entailed the acceptance by William as lord, of Harold as vassal, and would have been the visible sign that William had warranted Harold's possession of Wessex. As such it would have determined the line of inheritance, making it conceivable to channel the descent of Harold's possessions into the ducal-regal family, and creating in Harold's descendants serious claims upon the throne. Whether or not the story has any truth in it, it was in keeping with William's own early conception of himself as English king, attempting to rule through Englishmen and English institutions, altered to fit his conception of lordship.¹² One of the rocks on which that attempt foundered, I think our evidence will help to show.

This attempt of William to be an Anglo-Norman king as Cnut had been an Anglo-Scandinavian one, was surely one of the reasons why the Normans met virtually no widespread, organized resistance in the three or four years after Hastings. Perhaps another lies in the age of the remaining English earls and the Aethling. Waltheof of Northumbria had been too young to succeed ('adhuc parvulus')¹³ when his father died in the mid-1050s, and his claim to the earldom had been on that account passed over. He could have been little older than his mid-teens in

1066 and without experience as far as we know. The other earls Edwin and Morcar were also in their teens, and the Aethling was but a boy. All were unmarried. Only one was ever to be married. None was an alternative to William as king. What the earls patently wanted was to be earls of the old style -- the king's men, but masters in their earldoms. And, as is often remarked, so for a time, and with qualifications, they remained.

The Normans had the ability to march through the North and the West and even to keep a hold on garrisons, but the marches in the 1060s were hardly under Norman control. As Orderic says, '... in the marches of his kingdom, to the west and north, the inhabitants ... had only obeyed the English king in the time of King Edward and his predecessors when it suited their ends'.¹⁴ Sensitive as always to Mercian affairs, Orderic has left us a picture of Mercia's anxious loyalty in these years to the young earls Edwin and Morcar, who had taken themselves back to Mercia with their only sister, Aldgeva of Chester. 'A progeny both fair and greatly to be praised,' he calls them. 'The brothers were ... both remarkably handsome, nobly connected with kinsfolk whose power and influence were widespread, and well-loved by the people at large. Clerks and monks ceaselessly offered prayers to God on their behalf; and throngs of poor daily made supplication'.¹⁵ The brothers had submitted to the new king, and ostensibly Earl Edwin was now governing in the name of King William, but the existence of a royal garrison at Shrewsbury was a precautionary measure of clear significance. Royal control was the long-term aim. Even so, in the 1060s the men of Chester besieged the

Shrewsbury fort and burned the town, evidently with impunity, and in such circumstances the loyalty of even the easily overawed boroughs was doubtful. Orderic's picture of Norman insecurity during the late 1060s is vivid testimony to the superficiality of the 'conquest': 'ill-fortune', he wrote. 'held victors and vanquished alike in its snare',¹⁶ and some conquerors preferred to return to Normandy. Matters were in suspension in the late sixties. William fitzOsbern had taken charge of the earldom of Hereford, for many years already under Anglo-French governance -- under the son of the English princess Goda and her husband Dreux of the Vexin. Elsewhere in western Mercia there were isolated Norman garrisons, but there were no other Norman earls. Gherbod the Fleming had been given the city and district of Chester, but he had been unable to establish himself there for, 'he was continually molested by the English and Welsh alike'.¹⁷ Orderic, who knew much of the matter, tells us that Earl Edwin had been promised a daughter of King William's as wife, and was waiting for its fulfillment. He had not been accepted into the ducal family, and this was the sine qua non for great power under William -- the sine qua non for holding Mercia. There were, then, promises from the king, and perhaps hopes on the king's part that he could really be the Anglo-Norman king he claimed to be.

With the crisis of 1069/70 in the North the game turned very nasty indeed, and must have hardened the opinion of William's Norman vassals about an Anglo-Norman realm that would include the English as magnates. In that year Earl Waltheof joined the invading Danes in the Northumbrian resistance. Waltheof was no doubt the most dangerous of

the three earls, his centers of support farther from Norman centers than was Mercia, and beyond him lay Lothian, and beyond that the powerful king of Scots. Waltheof's settlement with William after the Conqueror's northern victory is a measure of his importance. He submitted to William personally and within months he had accepted Judith, the Conqueror's neice, together with the earldom of Huntingdon and Northampton.¹⁸ As the Hyde chronicler preserves the tradition, Judith was 'nomine pacis dota(e)'.¹⁹ His Huntingdon estates were conferred upon Waltheof as Judith's husband. They were her dowry; she held them at the time of Domesday and through his and her daughter, estates and earldom passed into the hands of men who suited the Normans.²⁰ Through that marriage Waltheof became the accepted vassal of the lord of the Normans and nephew of the ducal house. Through it he became a peer and companion of the duke's vassals. It cannot have been done without the agreement of the Norman magnates upon whom William relied. Unquestionably there were advantages in accepting Waltheof among their number. It would attach a great and ancient Northern lineage to the interests of Norman England rather than to Scotland. In 1070 no Norman could hope to control and govern in the North, but in Waltheof the Normans had an earl who could command loyalties there. He was also the one Northumbrian now not likely to be won over to an alliance with Malcolm of Scotland, the protector of Waltheof's rival Gospatric, and of Edgar Aethling. In 1069 Malcolm himself had of course married the Aethling's sister Margaret. Her claims to any, and if necessary, all, of England were sufficiently indisputable to clothe any conquest in the North with the mantle of

legitimacy, and her children (supposing her brother and sister remained unwed -- as of course they did) would be the direct heirs of the Anglo-Saxon kings.²¹ Waltheof and the Normans were thrown into one another's arms, and his marriage among them sealed their mutual acceptance. But while Waltheof lived it closed the North to their ambitions.

Nothing so formidable as Malcolm of Scotland lay beyond Mercia and western Wessex, and the permanence of the garrisons there must have weakened English independence. Nothing in the situation of the sons of Earl Aelfgar made the Normans necessary to them. The Normans' point of view about Edwin and Morcar must have been anything but unanimous. Duke William himself may well have been satisfied to rule in England as an English king while gradually transforming that undisciplined polity into the manipulable Norman form in which each family's resources were channeled into the hands of men who not only vowed loyalty to himself and to one another, but were required to demonstrate that loyalty with unremitting zeal. That in the sixties William was still undecided on his course can be argued from the evidence that he was attempting to be a traditional king.

To his chief vassals the opportunity must have looked quite different. They were in a hurry; William was not. They had their own vassals to satisfy and their own flourishing families to provide for. If such a large part of England were to be closed to conquest and settlement permanently, would the dangerous game have been worth the candle? I propose that by 1070-71 the Normans were safe enough in

their hold upon Wessex, East Anglia and the East Midlands to contemplate the thoroughgoing conquest of Mercia, and that the Norman magnates overruled any temptation on their lord's part to absorb the great English families into their tightly knit and exclusive group.

The matter came to a head, if we accept the explanation of Orderic and the hints of other chroniclers, over this question of Earl Edwin's marriage. Edwin's demand for a Norman marriage like Waltheof's would necessarily be the subject of a council. The demand was rejected by William's councillors, strong enough by the end of the decade to want Mercia. William accepted their authority. If this pattern be right then we can observe a side of the political genius of the Conqueror we are seldom aware of: he knew when to be persuaded and when his trust in his vassals must be proved by allowing them to take the lead. He was then willing to risk his life fighting for their advantage. From the moment when the Normans denied a Norman woman to the English earl, the conquest became theirs more than their duke's. Orderic says, '. . . the noble youths Edwin and Morcar, sons of Earl Aelfgar, rebelled . . . For King William, when Earl Edwin had made peace with him had granted him authority over his brother and almost a third of England, promising that he would give him his own daughter in marriage; but later, listening to the dishonest counsels of his envious and greedy Norman followers, he withheld the maiden from the noble youth, who greatly desired her and had long waited for her. At last his patience wore out and he and his brother were roused to rebellion.'²² After a long wait for acceptance either a formal decision of the Norman court had been made or Edwin realized that he

would forever wait in vain, his position slowly eroding. From that moment Edwin and Morcar had no more choice than Hereward.

How long it took to hunt the brothers down we cannot say. Their legends and that of Hereward merge -- quite rightly, for they are the same tale of the desperation of the totally disinherited, the unaccepted. We do know that by 1071 Morcar had been captured.²³ Some months later Edwin was dead at the hands of murderers. Some eighty years later, in c.1155, the poet Geoffroi Gaimar was requested by a lady, the wife of an Anglo-Norman knight, to tell the tale of the English and their noble exploits. It is of the highest interest that in the years when clers lisants were concentrating on romans de Ru for the court, a knightly household was listening to the tale of England and of the resistance of Hereward:

'There were many outlaws.
One noble man was their lord,
Who was named Hereward,
One of the best of the country.
Normans had disinherited him.
Now all were gathered with him,
Earl Morcar and his thegns . . .

Thus for several years he warred,
Till a lady sent for him
That he should come to her, if he pleased;
Her father would give him his great estates
If he took her for wife, and then
Well could he war against the French.
It was Aelftrued who sent thus
To Hereward, whom she loved much.
So many times she sent for him
That Hereward made ready;
He went to her with many folk.

But, verily, he had a truce:
He was about to make peace with the king.
Within the month he was to pass
The sea, to fight the men of Le Mans

Who had taken the king's castles.
 He had even been there before:
 He had slain Gautier del Bois,
 And Dan Gefrai del Maine
 He had kept a week in prison.
 Now he thought to go in real peace,
 For gold and silver he had great plenty.

When the Normans heard this,
 They broke the king's peace, they set on him.²⁴
 At his meat they set on him . . .
 (And killed the Englishman.)

In Gaimar's legend are preserved the elements I have been emphasizing. Disinheritance breeds desperate resistance, but great wealth in English hands could have been used against the invaders. Women are endowed with property at marriage, and this can be an occasion for the transferrance of the entire patrimony to the new couple. But the English war-leaders would have been loyal to King William and wished to make peace with him. It was the Norman vassals of the king who refused such an acceptance, and they resorted to murder to see that it failed. The memory of the rejected marriage of Edwin, c.1070-1 had, I think, passed with considerable accuracy into the legend of Hereward the Wake.

Orderic makes this the moment of the push into Mercia: 'After King William had defeated the leading Mercian earls as I have related -- Edwin being dead and Morcar languishing in prison -- he (William) divided up the chief provinces of England among his followers'. The dismemberment of Mercia had begun. This is arguably the evil time of which Orderic recalled stories from his boyhood -- stories imbibed from his English kin of how the Normans suddenly turned rapacious and attacked the English amongst whom they had been living in relative

peace.²⁵

Within a year Roger II of Montgomery had replaced Earl Edwin in Shropshire. One can see his means of binding his greatest administrator to himself and his sons there. He imported his neice Amieria for whomever held the shrievalty of Shropshire. She and the office and its vast land-holdings went first to Warin the Bald, and after his death to her second husband, Warin's successor from among the Montgomery vassals to lady, land and office.²⁶ This is the marriage pattern of the magnates and their upper vassals. Amieria and Judith conveyed acceptance and the resources that go with acceptance. This class continued the practice of their group and recruited to their own vassal groups by the dowries they assigned their women, and intermingled their possessions by complicated assignments of dower and dowry. They married their sons to one another's women, marrying as much with Norman inheritance-rights and dowries in mind as English. Such marriages meant much to the cohesiveness and balance of property within the group. And since this was so, the marriage pursued in the face of prohibition was a cause for disseisin quite as compelling as receiving an enemy into one's castle.

Is this not why it was a 'bride-ale' that was so fatal to Roger, earl of Hereford and Ralph of Gael, earl of the East Anglians? Most accounts speak of rebellion, and some even of a plot to replace William, but in favour of whom no one seems to have imagined. But let me concentrate on Florence of Worcester and Lanfranc, and suggest that Florence gives us a hint that makes sense of what happened, and best

fits the tone of Lanfranc's letters to Earl Roger and to the king.²⁷ If we take Florence of Worcester's version seriously, the 'rebellion' they undertook consisted of disobedience: the marriage between Earl Ralph and Earl Roger's sister had been forbidden, and yet they went ahead. Here are the elements of his story, and to me they are vastly more plausible than that a serious rebellion had been planned by two men who showed no trace of careful planning in their actions, and one of whom, on Lanfranc's evidence, was notably ineffective. Nor do we have the problem of understanding why Archbishop Lanfranc who knew about the plan before the fact should have treated it so lightly, dismissing it as a 'stupid proposal', and later advising earl Roger to 'lie low' lest the royal anger turn serious. This is not the advice of a vice-gerant faced with an attempt to overthrow a throne. It is the advice of an elder faced with the intransigent whim of a young fool. Yet Lanfranc, as his letters testify, ultimately received the king's decision against them, and after due legal process, both excommunicated the earls and with the lay justiciars declared them disseised.²⁸

In 1075, then, Earl Roger gave his sister to Earl Ralph despite the prohibition of the king. The magnificent wedding was held in Exning in Cambridgeshire and attended by a great crowd of county notables. Here they all made a great conjuratio against King William, joined unwillingly by Earl Waltheof, the only other tenant-in-chief present. Now if the major parties were acting in direct contravention of William's command, they were indeed all involved in something very risky, and might well vow to stick together as the best way of

inducing the king to forgive them. William was at the moment in Normandy. Waltheof went to the vice-gerant Lanfranc, and having confessed that he had joined, but against his will, he received penance; on the archbishop's advice he went on to William in Normandy, begged his forgiveness and gave himself up to the king's mercy. In the meantime the earls withdrew to their forts and began to call up their men. Archbishop Lanfranc now advised Roger to 'lie low'. But, as a precaution, lest Earl Roger should try to cross the Severn and join Ralph, Bishop Wulfstan of Worcester and Ailwin abbot of Evesham with their men, called up the sheriff of Worcester, Walter de Lacy and a great multitude of folk and blocked his movements. Note that this is a preventive measure -- no violence was offered on either side. Earl Roger made no attempt of which Florence was aware, to move. He was taken without a seige.

In the east Ralph and his bride were cut off from reaching Cambridge by Odo of Bayeux, Geoffrey of Coutances and another large force. The couple made a dash to Norwich (where her father had supervised the building of the fort in 1067), and Ralph, leaving his wife and knights in charge, fled to Brittany. She soon followed, with the king's permission.

Is this a rebellion, except in the sense of disobedience?²⁹ When one looks at it, it evaporates, and becomes a marriage alliance carried out against the wishes of a lord and vassal group. The men had tried to face it out and await forgiveness in their fortresses, but it was their peers who were implacable. Without William present

(and Lanfranc's letters to him at this time emphasize that he is not needed) the earls were quickly isolated and helpless. In the autumn the king returned and at the Christmas court the matter was dealt with at a formal court proceeding, 'judicali sententia.' Earl Ralph was safe in Brittany, another English vassal had gone. Earl Roger was imprisoned. Only for Waltheof did it mean death.

Is there any sense in all this, even beyond the very good sense of maintaining tight discipline? I think there may be. In another context Freeman, who for all his limitations was often shrewd, commented, 'In the northern part of England (William) was constrained for a season to leave the successors of Leofric and Siward in possession of the vast governments held by their predecessors. But (where the Normans could act effectively) there was no longer to be an Earl of the West Saxons or an Earl of the East Saxons, wielding the vast territory which had been held by the Earls of the Houses of Godwin and Leofric'.³⁰ It makes reasonable the downfall of Edwin, but though Freeman did not have it in mind, it accounts for the downfall too of those who presumed to make this private marriage alliance. For Ralph of Gael was earl of the East Angles, though not as great as his Anglo-Saxon predecessor certainly. Half-Breton, half-English, he had no old ties of blood or loyalty with William's vassals. The marriage with the king's cousin Emma could create both. It could raise up a lineage with claims to succession in Normandy and in both the western and eastern marches of England.³¹ A latter-day line of Godwinssons -- like them allied by blood to the traditional and new rulers both. I think one can also date from 1075 the ripeness of the North for real

conquest. Alan the Red profited greatly at the expense of Earl Ralph: East Anglian resources were thus devoted to securing his Lincolnshire foothold, and more importantly the fortress at Richmond, key to Swaledale and the road to Scotland, northern protector of the Vale of York. The season of Waltheof's use was past, and he, like Edwin, was put to death.

II NORMAN VASSALS, ENGLISH LADIES

There was a second pattern of marriage that makes sense, not as a recognition of legitimate membership of a vassal group, but as recognition of legitimate succession to lands being held: legitimate not only in the eyes of Norman lord and peers, but as a claim to hold in something less than constant fear. This second pattern was not the usual magnate one, for their claims were secured by membership in their family/vassal group that spread across the channel. It was the pattern of those who would hold only in England, and who could not hope to hold forever as occupying troops in a land of Herewards and Edrics. 'Castlemen' they were for a time, as the Anglo-Saxon kenning for them tells us, but they had not risked their lives to huddle forever in castles. And they could not -- let us admit it -- murder the whole of the English thegns. 'Manormen' we see them by 1087, and as is so often remarked, they appear as the heirs of their Anglo-Saxon antecessores, holding so often exactly the same estates, however inconveniently those estates might straggle across counties. Scant though the evidence is, if we look at that evidence accepting that

marriage was a moment of inheritance quite as important as any admission into a fief, and that marriage was one of few ways of legitimately effecting a property-transfer, we shall see that it tells a consistent story. And, I would argue, some evidence makes very much better sense in this pattern than looked at from our later perspective of a male-dominated lineage. When Sir Frank Stenton wrote about 'English Families and the Norman Conquest', he briefly mentioned the likelihood that some Normans married Englishwomen, but the offspring of such unions did not, to him, constitute an unbroken lineage. Thus he confined himself to the evidence for male continuation, that is, of admission of Englishmen into various Norman vassal groups. This he considered as the touchstone of the continuation of English families among the post-Conquest gentry.

A significant fact about the few Englishmen of importance allowed fiefs is that they seem to have left heiresses only. Thus Colswein of Lincoln left an heiress, married to Robert de la Haye, a Norman. Turchil of Arden did leave a son, but that son did not inherit -- his lands went to the Earl of Warwick, under whom the Ardens continued in possession as vassals -- a family tradition indeed recorded that the Norman earl had married the daughter of the English family.³² If so, it is the precise circumstance of Oliver de Belleme, his sister Mabel and Roger II de Montgomery. We know too that Robert d'Oillé, castellan of Oxford, married the daughter of Wigot of Wallingford and 'inherited' her father's lands, and Geoffrey de la Querche married Alfgeofu, heiress of Leofwine, thegn of Warwickshire.³³ We can, even at a higher level, know of the Countess

Lucy, the English heiress of Bolingbroke, Lincolnshire, who carried her estates and her ancestors' earldom/shrievalty to her Norman husbands, Ivo Taillebois (d. ca. 1094), Roger fitzGerold, and Ranulf le Meschin earl of Chester.³⁴

Lucy's father, William Malet, had fought among the Conqueror's closest companions at Hastings, and was of an important Norman family. Yet he was 'partim Normannus et Anglus, compater Heraldus'.³⁵ His widow was still alive in 1087, a Domesday tenant, holding most of her land from her son, Robert Malet, lord of Eye. It is unusual, to say the least, for the mother of a tenant-in-chief to be one of his sub-enfeoffments. She is one of the few great female landholders in Domesday, and so much of the lands listed as hers are associated with the great Suffolk English lord, Edric of Laxfield, that the conjecture is not implausible that she had been Edric's heiress. Nearly all of her land is identifiable as having been held by Edric or by men commended to Edric in King Edward's time. Her only lands not specifically stated to have been held by Edric are a group of holdings entered separately because they were the object of a dispute between the lady and the bishop of Bayeux. We cannot certainly identify Robert Malet's mother, and the Countess Lucy's grandmother, as the English heiress, daughter of Edric, but we can say certainly that if she had been, Domesday would describe her holdings precisely as it does, and that in the usual course of things we would not expect any more specific identification.³⁶ It would have been no unlikely arrangement between the two great East Anglian landholders and associates in county administration that the one should have married

the other's daughter. It would explain too why the lady, with her children, was not only in England in 1069, but in the dangerous town of York in her husband's company. Nor would it be surprising that by 1087 when Normans had replaced the English as tenants-in-chief, the English families' holdings were the responsibility of the Anglo-Norman branches of one family. If Edric had had a son he would be almost in principle impossible to identify: he would very likely not have been trusted by a Norman peer-group and would therefore be barred from being a tenant-in-chief. Domesday Book does not supply us with family identifications, so if he continued as his sister's tenant, he might be generously provided for, but we might never know.

The problem of the continuation of English families after the Conquest is not so much one of evidence that Norman fighters, particularly at the lower levels, married Englishwomen, as in realising that inheritance through the female would have been an acceptable arrangement to men of that time -- that they felt differently about family constitution than we assume they must have. Yet the pattern is so common that we must be willful not to see it. From the marriage that channeled the Norman Count Rudolf's great landholdings through his daughter to the ducal steward Osbern in the early eleventh-century, while his two sons were pensioned off with bishoprics, to the great Berkeley marriage in the 1150s whereby one baron was dispossessed in favour of another, but in such a way that the sons and daughters of the two were married and mingled the blood and lands of Berkeley of Berkeley and Berkeley of Dursley, there is a continuing pattern by which the polity was strengthened, resources

redistributed and families were mingled in fact without violence.

One Englishman had a special claim to Norman attention, and his case is sufficiently documented to provide an instructive example of the peaceful satisfaction of English claims through marriage. He is Harold, son of the pre-conquest Earl Ralph of Hereford. His mother had the Anglo-Danish name, Gytha. His grandmother had been Goda, Edward the Confessor's full sister. He was in fact as directly an 'heir' of the Old English kings as was Edgar Aethling, and he was therefore particularly dangerous. His father, Earl Ralph is so often thought of as a 'Norman favourite' of Edward the Confessor, that we are apt to forget that he was half-English, was married to an Anglo-Dane, and had given his son the name of the greatest of the Godwinssons. In the circumstances, this Harold was fortunate to survive. He did not of course inherit. But he was eventually allowed to marry the daughter of Alured of Marlborough, the Domesday holder of Ewias, and to become Alured's gener et heres, to use Oderic's term in a different context.³⁷ His name has been attached to the site of the fortress since -- Ewias Harold. He called his own son Robert. He was one of the tenants in a wild corner of the honour of Boulogne, the huge honour associated with the marriage of his grandmother and Eustace of Boulogne. Harold, sole living descendent of this princess, and one of only two males of the lineage of Athelred to survive, was content to live as a 'Norman' vassal holding of a Norman in-law. By 'content' I mean that he had been satisfied to the extent that he did not rebel, and that, I take it, was the point. Men had different thresholds of contentment, but here we see a significant one -- for a

man of high birth and no poltroon. It took a brave man with a cool nerve to hold Ewias Harold. His acceptance tells us much about his assessment of reasonable options.

At a much lower level, we can turn to the example of Orderic Vitalis' own family to see the expectations for his children that a man might even himself arrange as the best settlement he might make for them. Orderic was a child of the conquest of Mercia. The story is worth pausing over, for it is really our only account of the enfeoffment of a humble man.³⁸ In the time of King Edward, one Siward, son of Aethelgar, whom Orderic calls a kinsman of the king (and we may wonder how he knew this)³⁹ erected a wooden chapel on his land at the east gate of Shrewsbury, where the Meole joins the river Severn. In the 1070s, after the removal of the young Mercian earls, Roger II de Montgomery conquered this part of Mercia and ruled it as earl of Shrewsbury. In the new earl's household was a clerk, Odelarius, about age forty then, and like many a household retainer, a man who waited till early middle age for his reward of a settlement. His reward came in the transfer of Siward's church-land to himself, Siward being given in compensation a life-grant of his own manor of Cheney Longville, the very expedient of settlement of which I have been talking. Odelarius was also given, or allowed to marry, an English wife. He had a house on the river bank, and presently three sons, Orderic, born in early 1075, Ewirard and Benedict. Eventually he began to replace Siward's wooden chapel with a stone church dedicated to St. Peter in fulfillment of a vow taken at Rome after the boys were born.

His plans for the church and for his boys' welfare were inextricably linked. For the eldest, the English-named Orderic, it provided a handsome dowry of thirty silver marks for his reception into a Norman monastery. Orderic tells us that between the ages of five and eleven he was placed in the charge of 'a noble priest called Siward', in Shrewsbury from whom he learned his letters. He was then sent, 'as if I had been a rejected stepson' to St. Evroul in Normandy. An English boy -- so English that he claims to have known no French.⁴⁰ While his English son was studying with Siward, Odelarius persuaded his lord the earl to found an abbey and to give the whole suburb outside the east gate of the town to it. He proposed that he himself give the church he had begun, his house and all its furnishings for the abbey site, with fifteen pounds immediately, and whatever continuing help he could give. He would vow himself and his five-year-old, Benedict, as monks. All of his possessions were to go ultimately to the proposed abbey. Half was to go immediately and 'the other half shall be given to my son Evrard to hold under the lordship of the monks'. One son, then was left to carry on the land's service. Naturally enough the father's lord was an active participant in the arrangements for the disposal of the family resources for the benefit of his vassal's children. As for the boys' mother, whom her historian-son never mentions, one may wonder why a forty-year-old unmarried clerk required a wife the moment he was installed upon Siward's land.⁴¹ His disposition of his boys shows no great hopes of founding a long-lasting lineage. What did she confer as wife? Orderic depicts his father as reminding Earl Roger of the utility of

castles when one holds without being a legitimate heir of ancestors in the land. Perhaps then, his English wife (Siward's daughter or sister, it may have been and Orderic then, of a noble English line) endowed Odelarius with the quiet security of legitimacy of which he was so aware, and in Evrard we see the heir of his mother and the continuity of an English family on its land. It is precisely then the sort of family for whom Gaimar wrote a generation later and in French: a minor knightly family that wished to hear, and was moved by, the legend and the tragedy of its English forbears.

III NORMAN VASSALS, ENGLISH NUNS

The curious letter about Englishwomen written by Archbishop Lanfranc belongs, I would suggest, to the mid or late 1070s, and must be seen in the context of the legitimisation of the Norman settlement.⁴² Lanfranc had been asked: which Englishwomen in nunneries are to remain as nuns and which are to be sent home? The answer was that nuns who had made profession or who had been offered as oblates were to remain such. Those women who fell in neither category were to be sent away ad presens until their wishes about living as nuns might be minutely investigated. Now why should this category of women concern the king and his justiciars? Many girls were brought up and educated in nunneries or boarded there and left freely.⁴³ Many widows retired to them. Why send them away? I would suggest that they concerned Lanfranc and his fellow-governor because they were wanted at home as peace-weavers and channels of inheritance.

Send them home, Lanfranc is saying, and it will be closely examined after a short time whether they might wish to make their lives among Norman men or to return to the cloister. A sub-set of these Englishwomen might choose to leave without investigation -- those who had fled not out of love of God but out of fear of the French. If we put the letter in the mid-1070s, then the land was growing peaceful, because as Orderic bitterly says, 'foreigners grew wealthy with the spoils of England, whilst her own sons were either shamefully slain or driven as exiles to wander hopelessly through foreign lands'.⁴⁴ Despite sub-enfeoffment many were made exiles -- Simeon of Durham, perhaps one himself, speaks movingly of them.⁴⁵ But their sisters were wanted at home.

Whatever the motivations of the men and women involved, Lanfranc was dealing with a general problem. Some twenty years later, in 1093/4, his successor Archbishop Anselm had the problem still to deal with, in two specific, and I would argue, clear cases: those of the great ladies Edith and Gunnilda. Their cases can be reconstructed and we can be sure that we are either seeing strange passions shaking heretofore solid and middle-aged barons, or women with the legitimising effect of heiresses. Both cases involve the desire of the Norman king and that the ladies remain in their convents, or at least not marry a particular magnate. From this inversion of the policy of the seventies we can most cogently argue both the legitimising effect of marriage to an English woman and the relative unimportance of the ladies earlier released. A knightly class would be thus quietly settled upon the land and in county government. But for

ladies of the lineages of Edith and Gunnilda, careful consideration at the highest levels was necessary, lest their property rights create an overmighty member of the magnate-group.

In 1068 Malcolm of Scotland had given refuge to many nobles of the North and to the English royal children, Margaret, Christina and Edgar. He had subsequently married the young Margaret.⁴⁶ Two reasons for the marriage can be adduced, and both must have been in Malcolm's mind. The first is the establishment of a claim to the throne of England itself and through it, the second, more realistic aim of a Northumbria detached from Norman England. As Professor Barrow has written, 'Just as Malcolm's first marriage to the Norwegian Ingibjorg had denoted a Scandinavian alliance (probably directed against Moray), so his marriage to Margaret stood for an alliance with the legitimist royal house of England, and, had Scots strategy comprised aught save repeated pillage, might have been a means of rallying the men of English as well as Scottish Northumbria against the Norman usurpers'.⁴⁷ St. Margaret's dowry could be as large and vague or as specific as suited Malcolm. At its most specific, it provided a legitimate claim to Lothian, annexed years earlier. In 1072 Malcolm became William's man. But for what? Like St. Margaret's dowry, Malcolm's vassal holding could expand or contract at will -- and in this case we have evidence that Malcolm equated the two when it was convenient. In 1091 he met William II on or near the Lothian border to begin the process of negotiating areas of recognized influence in the uncertain North.⁴⁸ In his revealing account of Malcolm's claims, Orderic puts these words in Malcolm's mouth: 'I

acknowledge that when King Edward gave me his great-neice Margaret in marriage he gave me the county of Lothian. King William later confirmed what his predecessor had given me . . .'.⁴⁹

St. Margaret's dowry, then, was Malcolm's justification of claims in the North. Her daughter's dowry was as expandable and as significant. This is the reason that the dispute over this daughter's marriage in 1093 was so bitter. Her case is the subject of the first of the letters of Archbishop Anselm concerning runaway nuns.⁵⁰ It is addressed to the bishop of Salisbury, asking him to use his authority to compel Malcolm's daughter to return to the abbey of Wilton where she had laid aside her religious veil and returned to the world. Anselm has, he says, delayed his condemnation of her sin for fear that it had been prompted or condoned by the king. But, he writes, he has spoken with the king and found to his satisfaction that such was not the case -- the king wished Malcolm's daughter in a nunnery. Let us put the whole story of Malcolm and his daughter into the context I propose and we shall see that there is nothing so obscure in the final break between William II and Malcolm, nor in the circumstance that a twelve-year-old girl should have been the center of the quarrel.

The girl Edith (later of course, Queen Matilda) was in England in the summer of 1093 at Wilton where she was awaiting the husband for whom her father intended her.⁵¹ Malcolm had come to the king at Gloucester to continue the settlement they had begun in Lothian two years earlier. As part of that settlement Malcolm intended a marriage between his daughter and Alan the Red, lord of Richmond. Now Alan was

more to a Scots king than the greatest baron of Yorkshire and one of the greatest in Lincolnshire and East Anglia. His greater attraction perhaps was that his territory lay immediately to the south of the disturbingly effective Robert de Mowbray, earl of Northumberland. Mowbray's arrival upon the Tyne in ca.1080 had brought for the first time since the Conquest a force that neither Malcolm nor the previously unmanageable Northumbrians could dislodge. His presence there promised a check to Scots' activities south of Lothian -- and at the same time to Count Alan's activities north of the honour of Richmond. A marriage that would give Alan claims to Lothian and Malcolm a grandson in Richmond would suit them both very well indeed. In the game of 'go' it is called a 'pincer movement', and the phrase graphically describes the geography of Mowbray's situation. If William II contemplated for a moment sanctioning it, he must have been quickly recalled to his duties as a lord by his vassals, led by Mowbray.

In August of 1093, I would argue, William acted much as had his father in 1070 and yielded to his vassals. When Malcolm arrived at Gloucester the king refused even to talk to Malcolm except in his own court according to the judgement of his own barons and of them only.⁵² It was an act of flamboyant good lordship. William was willing to be guided by his barons, to the point of offending the Scots king -- which he certainly did -- and one of his most effective vassals, Alan, though the latter might seem somewhat expendable in view of his brother's presence as a possible replacement. Malcolm however would have none of being treated as merely another vassal

whose family planning was subject to his fellows' agreement. He was willing to abide by the judgement of a joint court made up of magnates of each realm and convened on the borders. The two kings parted (if one may call a non-meeting that) in great enmity and Malcolm went north, where Mowbray of course was left to deal with him. By November Malcolm had been killed, either ambushed or raiding.⁵³ But he had first gone to Wilton for his daughter, had torn the veil from her head, as she later testified, telling her that he had intended her as a wife for Count Alan rather than for a community of nuns, and taken her away. Anselm's letter of February, 1094 did not get her back.

Seen so, Edith's 'place in all this' is anything but 'obscure', as it has been called. And it shows the sagacity -- not to say the sheer cheek -- of Prince Henry that on the quiet he offered Malcolm that he himself would marry this 'maid of Lothian'. William wished her back and veiled; only after he had heard this did Anselm write his directive. The king indeed is the likeliest source of Anselm's information, to judge from the memory of Herman of Tournai, who heard, and later recounted, Anselm's story that Rufus had thought himself satisfied by having seen a veil on the princess' head.⁵⁴ A girl with such a potential was best kept behind stout walls.

At the same time another woman best kept incarcerated was taken from Wilton: Gunnilda, daughter of Harold Godwinsson. At the angry breakup of the Gloucester court, King Malcolm and Count Alan had ridden off, angry men both, and, as it happened, men doomed to die within months. As if they rode together -- as well they might -- King

Malcolm snatched his daughter from Wilton, while his chosen son-in-law rode off with Gunnilda from the same nunnery. In her case Anselm knew she had willingly worn the veil, for he himself had once talked to her.⁵⁵ The facts as we know them are few. Count Alan abducted Gunnilda within a day or so of the breakdown of negotiations at Gloucester, as I have said. Shortly, and without having married her, he was dead. But Gunnilda did not return to Wilton. Instead Count Alan's brother Alan Niger 'succeeded not only to his estates but to his matrimonial plans', in Southern's phrase.⁵⁶ Anselm wrote her then a bitterly physical letter, horrible to read, attempting to disgust her with the world and man's embrace. What happened to her eventually we do not know, but she left no legitimate children, and another of the Breton family succeeded to the lands of his brothers.

The facts of the story, few as they are, are clear enough, but the interpretation must be part of the pattern the historian believes he sees. Let me contrast two -- one that does not see property and succession claims inhering strongly in women, and another, the one I am putting forward, that assumes that such attributes in their women were rarely out of the minds of contemporaries.

Professor Southern, assuming that eleventh-century baronial marriage was of such relatively small importance that it could be both freely contracted and romantically motivated, infers from Alan's abduction of Gunnilda that the union with Edith foundered because 'Count Alan Rufus saw a young woman whom he liked better'. He reminds us that Alan was a tough, practical warrior in his mid-fifties. 'The

result', he writes, 'was a strange and passionate romance . . .'. Stranger still that his brother and heir should be smitten by the same passion: 'Why these important barons, in the face of ecclesiastical censure and as an alternative to the important political alliance proposed by King Malcolm, should have preferred the daughter of Harold is a question we shall never answer. . . the secret of her power died with her.'⁵⁷

The strange and passionate romance of the grizzled veteran of Hastings evaporates looked at as I propose. Nor is the affair an enigma. Instead it joins the other evidence in making sense of the many post-Conquest unions of which contemporaries were so conscious. Reading Orderic, Florence of Worcester and the Anglo-Saxon Chronicle as I propose, it was not Count Alan who broke off the marriage, but Rufus' insistence that it be considered by his magnates assembled. Malcolm, we are told, left in a fury. He had been insulted and his interests disregarded. Was Count Alan's situation any different? Was there a second-best for this long-unmarried Breton, who knew better than to go ahead with the marriage on his own?

Count Alan held four hundred manors in England. Nowhere was he more independent and powerful than in the 'magnitude and solidity' of his great honour in the north of Yorkshire. But his power extended through the eastern part of the old Danelaw: in Lincolnshire, Cambridge, Norfolk, Suffolk, Essex.⁵⁸ Gunnilda's name is of the Danelaw, and her mother Edith Swanneck had been one of the great Danelaw powers. Many lands had been under her soke and many men

commended to her. Edith Swanneck had been a wife more Danico, but for a Dane that meant no lowly position. Nor did it denote a woman of low birth. Only the daughter of a great war-leader's lineage could have commanded so many and held so much. When we realize this we can see something of Gunnilda's utility to Alan and to his heir after him. She was the Swanneck's heiress and heiress to whatever legitimacy remained of the old Danish war-lineage. And the Breton honour of Richmond (like Lacy of Pontefract) was unusual in the continuance of pre-Conquest Anglo-Danish men on their old estates.⁵⁹ Second-best the union undoubtedly was to the chance for Lothian, but not so far behind it perhaps, especially to an angry man. I do not think that the secret of Gunnilda's power died with her.

Gunnilda's fate provides us with evidence that at least makes a coherent picture. There was no marriage more Normannico and therefore no children with claims to inherit and to be seated beside their father's peers. Nor need there necessarily be. The woman herself passing the cup in the new lord's hall was important as a bridge to the old form of lordship, and the children could be provided for. Thus a bizarre tale of strange and ruinous passions, full of the most unlikely coincidence and quite out of character for the actors is transformed into reasonable, if unromantic, baronial 'politics'. It requires merely a slight shift in our perceptions of the significance to these men of their own and one another's marriages. And we can see that there may have been more than an attitude towards canon law in Lanfranc's decision that Englishwomen should be sent out of nunneries though they had worn the veil and Anselm's opposite opinion concerning

royal women. They were dealing with different classes and with different needs. For minor Norman fighters, being actually settled upon English estates -- isolated from one another, we must remember -- it was a source of safety to marry Englishwomen connected with those estates and quickly to produce Anglo-Norman boys and girls who understood the new Norman bond of vassalage.

But this could scarcely be a desirable pattern among the magnates. Their strength as a group lay in such mutual trust as they could generate. Men without preexistent loyalties were not welcome among them. Safety for such men was in part ensured by marrying one another's women. Aggrandizement of a lineage in England and in Normandy made such marriages imperative. And how better to ensure one's children's acceptance than to ensure that they were grandchildren or cousins of those judging them? Self-interest dictated endogamy; group interests dictated its control. When William II finally himself ousted Mowbray, he did not offend the family of the Eagle, whose daughter Mowbray had recently married, by ousting her as well. The group closed ranks, petitioned an understanding pope for a divorce for her and married her to the successor of her ruined and imprisoned husband. She had married Northumbria, and to Northumbria she was intended to remain married.

It might seem fitting to conclude with the great marriage of 1100 between the Princess Edith and the new king Henry I as the ultimate in legitimising succession to England and claims to Lothian, which it is.⁶⁰ Edgar Aethling's inheritance went through his sister.

It is even more enlightening to look at Henry's sexual politics long before his marriage, and to conclude with another non-marriage. A more unmarriageable young man than Prince Henry can scarcely be imagined. Having cheated him out of his inheritance, his elder brothers were hardly likely to make his fortune for him by a marriage. Yet the shrewd Henry was not to be done out of children whose marriages could be useful supposing better days were on the way. William of Malmesbury was not being quite a fool when he recorded that Henry copulated only to get children, 'effundans naturam ut dominus, non obtemperans libidini ut famulus'.⁶¹ When Rufus died Henry already had a quiverful of potential barons, earls, heiresses and queens for his nobility and neighbours — and loyal supporters for their legitimate siblings.⁶² And not a one carrying dangerous claims to the crown. I would maintain therefore that, while individuals were inconvenienced by the church's growing definition of marriage as monogamous, the seignorial world in fact welcomed and encouraged clerical aid in reducing the 'pool' of legitimate claimants, and thereby reducing the dangers and violence of succession-disputes.⁶³ The baronage soon went beyond the Church in England, and denied legitimacy even to 'mantle children' whom the Church accepted. They were not converted to a new morality of marriage. They were making use of a new control over inheritance.

One final non-marriage may be explicable in this way, and in any case deserves at least a shadowy place beside the more certain unions of Alan and Gunnilda, Henry and Nest, Henry and Isabel de Beaumont. It is anything but a certainty, and yet the circumstantial

evidence is so tantalizing I cannot forbear to end with it. In 1066, earls Edwin and Morcar, upon hearing of Harold's death, rode straightway to London for their sister Aldgitha (or Edgiva as Orderic calls her or Aldgeva) and carried her back to Chester.⁶⁴ Well they might, if the picture I have been sketching is near the truth. Edgiva though probably not so different from her young brothers in age, was by now twice a widow. The only daughter of the great earl of Mercia had gone first to Gruffydd of Gwynedd and then to Harold Godwinsson, so powerful were the succession claims that inhered in her. Her brothers could hardly have feared for her safety in 1066, but they surely knew that Cnut had channeled the inheritance of Northumbria through a girl whom he had married to his man, and they surely knew that the precondition of French rights in the honour of Boulogne and of the earldom of Hereford had been marriage with the princess Goda. It was her brothers, not Edgiva, who were safe when they got her within Chester's walls.

This is the last time we hear of Edgiva, in Chester, in 1066. In ca. 1071, after her brothers had been removed, the Conqueror's young relative, Hugh of Avranches, arrived in Chester, invested with one of the new earldoms being carved out of Mercia. The earl of Chester is surely one of the most colourful figures of his time, and one of the most able. Under his strenuous rule his county was kept under his control and the Norman conquest of North Wales begun. He was a close friend of no less a man than Anselm. Orderic who preserves what may be a Montgomery ambivalence about Earl Hugh, records the magnificence of his court and his own flamboyance, telling

us that he had many children by concubines, but that they all perished miserably.⁶⁵ He married at last, in his mid-forties after twenty years ruling in Chester. His only legitimate son and heir was born in 1096. It was leaving the matter late.

But despite Orderic's opinion in one place, he tells us in another that in fact Earl Hugh did have a son, whom he sent as an oblate to a Norman monastery, and who later was unsuccessfully appointed abbot of Bury St Edmunds.⁶⁶ Hugh had a daughter as well. She was married to Geoffrey Ridel, Henry I's justiciar, and she was given a magnificent dowry from the Mercian palatinate. Whoever she was, she was not the child of a 'dishonourable' union. Her name was Geva.

The lady Geva lived until at least 1142. She founded Canwell Priory in Staffordshire,⁶⁷ and her dowry founded the fortunes not only of the Riddels but of the Bassets. For her daughter Maud in the 1120s married the Crown's servant Richard Basset, at the instance of the new earl Ranulf le Meschin.⁶⁸ Geva was King Henry's cousin and the daughter of a great earl. However magnificently endowed, her marriage outside the baronage to an administrator of no birth was a disparagement. Her propertied wealth paradoxically emphasizes it. It is hardly likely that we shall ever know the identity of her mother. But if Aldgeva of Mercia sat in Earl Hugh's hall, as Gunnilda in Earl Alan Niger's, some of the secret of his effectiveness in his dangerous Marcher palatinate may be explained, and we can understand why he left marriage so late -- and why his daughter should have been disparaged.

The blood of the great Anglo-Saxon families might flow into the royal houses of England and Scotland. But it was best diverted from the upper levels of the baronage.

I have tried, in this paper to do no more than propose a new way of looking at evidence we all know of, and to convince you only that it produces at least a consistent picture, and one that has the merit of not underestimating the long-term difficulties of eleventh-century conquest and colonisation. Marriage and the control of inheritance are, in this reading of the evidence, the very heart of the solution to the conquerors' problems. The pattern of marriage at the knightly level was necessarily to marry Englishwomen, to become the lords of their male in-laws, and to produce children who were legitimate heirs of English grandfathers and legitimate claimants to the fiefs of Norman fathers. At the magnate-level the pattern was quite different, for marriage 'Christiano more' within that exclusive group involved Normandy as well as England. Control over one another's marriages was for them a powerful control over one another's wealth and power. Looking back, as we do, through statal preconceptions, we can forget that the overmighty subject was quite as dangerous to his neighbours as to his king. Looked at in this way, the decision-making powers of the vassal-group of the eleventh-century assumes rather more importance than is generally given it. Much of William I's political success looks to be in knowing when to yield to his vassals' insistence that they, as well as he and the church, define the legitimacy of aspirants' to their women's hands and property.

FOOTNOTES

This Working Paper is an expanded version of my contribution to the Third Annual Battle Conference on Anglo-Norman Studies, to be published in the 1980 Proceedings of that conference. It is a draft of chapter of a book on Marriage and Women's Property in Medieval England.

1. E. Searle, 'Seigneurial Control of Women's Marriage: the Antecedents and Function of Merchet in England', Past and Present, no. 82. (1979), 3-43.
2. Select Charters, ed. W. Stubbs, 9th edition, revised by H. W. C. Davis Oxford 1966, 118.
3. Professor Milsom, commenting on Glanvill ix, 4, puts the matter clearly: it requires saying that relief is not due from any husband but the first, because the lord's consent, Glanvill assumes, is necessary for all her marriages and his consent will entail payment unless it is specifically denied. S. F. C. Milsom, The Legal Framework of English Feudalism, Cambridge 1976. 104.
4. For a succinct analysis of Orderic Vitalis' evidence concerning the Belleme inheritance, see The Ecclesiastical History of Orderic Vitalis, ed. M. Chibnall, ii, Oxford 1969, Appendix I, 362-5.

5. Orderic iv, 88.
6. The Story of England, Robert Manning of Brunne, ed. F. J. Furnivall RS 1887, i, 230.
7. Hereward is not the only example of the dangers in complete disinheritance. Earlier, Earl Aelfgar fled to Wales and from there kept the Mercian marches in a state of disruption after his dispossession. ASC s.a 1055. In Normandy Arnold of Echauffour for three years 'carried out a furious war of vengeance for the injustice of his banishment' until he was removed by a sudden illness thought to have been poison. Orderic ii, 124. Another feature common to these men's situation is that each had a safe base from which to operate.
8. In this Edith resembles Cnut's wife Aelfgifu of Northampton. There is no hint that her son was illegitimate, and she ruled legitimately for Cnut in Norway.
9. Robert of Torigny, in Chronicles . . . Stephen, Henry II and Richard I, ed. R. Howlett, RS 1889, iv, 19.
10. In his interpolations in William of Jumieges, ed. J. Marx, Rouen 1914, 191: 'Adelisam filiam suam cum medietate Anglici regni se daturum eidem spopondit'. The Anglo-Saxon Chronicle knows nothing about the supposed marriage, but Orderic speaks of it. Orderic ii, 136; and see William of Poitiers for the story, Gesta Guillelmi ducis Normannorum et regis Anglorum, ed. R. Foreville,

- Paris 1952, 230. De Gestis Regum, 297-8. Huntingdon, 196-7.
11. William of Malmesbury, 298. And for Harold speaking as king, see Eadmer, 8: 'Si de filia sua quam debui in uxorem, ut assevit, ducere agit, super regnum Angliae mulierem extraneam inconsultis principibus me nec debere nec sine grande injuria posse adducere novent.' The king is thus under the discipline of his magnates in the matter of his marriage.
 12. R. Allen Brown, The Normans and the Norman Conquest, New York 1968, 206-7: 'That in the beginning king William had intended to establish a genuine Anglo-Norman state is proved by his patronage of and patience with the aethling Edgar, earls Edwin and Morcar, Waltheof and Copsi and those other members of the pre-Conquest nobility of England who submitted to him and made their peace after Hastings, as by his maintenance in their positions of English sheriffs and other officials. Yet also (William had the obligation) to meet the claims of those who had supported his invasion on the promise of rich rewards . . . ' This, I think, puts William's intentions and dilemma shrewdly and clearly. For the latest treatment of William's not wholly unsympathetic reception by the English thegns, see Eric John, 'Edward the Confessor and the Norman Succession', EHR cclxxi (1979), 241-67.
 13. Huntingdon, 196.
 14. Orderic ii, 210. Orderic's picture of the dangers in England in the 1060s is strong evidence of the incomplete character of conquest.

15. Orderic ii, 216.
16. Orderic ii, 220.
17. Orderic ii, 260.
18. Orderic ii, 262 and 263, n. 8. Waltheof may have had claims to Huntingdon and Northampton before 1066, but as Dr. Chibnall comments, 'whatever earlier rights he may have had in Huntingdon, Waltheof seems to have been granted or regranted the county after his rebellion, at the time of his marriage.' Judith was the daughter of William's sister Adelaide. Waltheof's claims to Northumbria seem not to have been admitted until 1072. His cousin Gospatrick also had claims to the huge district, and was in possession of the stronghold of Bamburgh after the defeat of the Northumbrians and Danes in 1069. Gospatrick's ties with Malcolm of Scotland were close and this may have decided Waltheof to throw his lot in with the Normans.
19. Liber Monasterii de Hyda, ed. E. Edwards, RS 1866, 294-5.
20. Maud, daughter of Waltheof and Judith married first, Simon of St. Liz, by whom he had two sons, Simon and Waltheof. Her second husband was David I, King of Scots. At Simon's death, this second husband became earl of Huntingdon, and although Stephen recognized the claims of Simon II, the earldom passed at his death back to the royal line of Scotland. The English-named Waltheof, grandson of Earl Waltheof, was excluded from a claim to inherit. He was given

as a monk-oblate. His career was made in Northumbria, where he was a brilliant abbot of Melrose and a powerful figure in the governance of the area in which his family's prestige and power lay. DNE, s.n.

21. Indeed the claims of these children were emphasized by their names, for the first four princes were named after the Anglo-Saxon kings backwards in order, Edward, Edgar, Edmund and Ethelred. One of their two sisters was Edith.
22. Orderic ii, 214-6. Orderic places this in 1068. It may have happened this early, or Orderic may be conflating the early resistance with the final rejection that meant life or death to Edwin, and that without delay. He was hunted down and killed probably in 1070/1. Brown, Norman Conquest, 197, n. 285. ASC 'D', s.a. The mixing of dates with the pattern of events is perfectly possible. See Dr. Chibnall's note, Orderic ii, 256.
23. Orderic ii, 256: 'For King William, ill-advisedly relying on evil counsellors, brought great harm to his reputation by treacherously surrounding the noble Earl Morcar in the Isle of Ely, and beseiging a man who had made peace with him and was neither doing nor expecting harm'.
24. Geoffroi Gaimar, Lestoire des Engles, ed. C. T. Martin, RS, 1888-9; 11. 5591 ff and see Orderic, 256-8.
25. Orderic ii, 256-8, 260. Again, Orderic puts this ca. 1068, but charter evidence does not bear him out. The evidence of the division to which he refers indicates that it was of the early seventies. To this

decade or slightly later we may attribute the settlement of Montgomery at Shrewsbury, Beaumont at Warwick, Clare at Pembroke, Avranches at Chester, Count Alan at Richmond, Fitz Hamo in Gloucester.

26. J. Tait, in VCH Salop i, 296.
27. Worcester, 9-18 (s.a. 1074). De Gestis Regum ii, 313. Symeonis Monachi Opera, ed. T. Arnold, RS, London 1882-5, ii, 205, and cf. Orderic ii, 310-16.
28. For Lanfranc's letters to Roger, earl of Hereford, to the king and to Bishop Walcher, see M. Gibson and H. Clover, The Letters of Lanfranc, Oxford 1980, 118-26. See n. 29. Domesday Book has evidence to bear out Lanfranc's description of the formality of the procedure. It speaks of land that Earl Ralph forfeited 'postea derationis est Lanfrancus iussu regis in episcopatum rovensem.' DB i, 381. See also Orderic ii, 316 for the secular legal procedure.
29. Orderic ii, 310, thought that the motive was to replace William with themselves, manifestly an impossibility. Other chroniclers conjectured merely that they had conspired with Waltheof to dethrone the king. Huntingdon, 206. The Peterborough Chronicle, ed. Cecily Clark, 2nd ed, Oxford 1970, 5. ASC, s.a. 1075. Lanfranc's letters, the only contemporary documents, speak of a 'stulto proposito' about which he was fully cognizant before the event, and against which he strongly advised Earl Roger. He subsequently warned the earl to 'lie low' ('ut quiescas') lest he incur even greater royal anger. To the

king Lanfranc speaks of the earls as 'periuri,' and 'traditori,' and of Ralph of Gael's Bretons even as 'spurcicia'. But nothing in the archbishop's letters has any hint of an attempt to overthrow the king, and it is impossible that he could know of such a danger and write to its perpetrator calling it merely 'stupid.'

30. E.A. Freeman, The Norman Conquest, 2nd ed. Oxford 1870, iv, 70.
31. See GEC ix, 572, n. b, and De Gestis Regum, 313, Huntingdon, 206. In the event, Earl Ralph's second son Ralph was allowed the Norman inheritance in 1119, and it passed, with his daughter Amice, to Robert earl of Leicester at their marriage. GEC vii, 529-30. They eventually received the county of Hereford from Stephen. In this way, Emma's line rather than that of her brother, became the heirs of their father William fitz Osbern. Her brother, Earl Roger, had a son, Reginald fitz Count, who has given an heiress of the Ballon family. J. H. Round, Studies in Peerage and Family History, London 1901, 201 ff.
32. F. M. Stenton, 'English Families and the Norman Conquest,' THRS ser. 4, xxvi (1944), 1-17, esp. 6. Anthony Wagner, English Genealogy, Oxford 1960, 47.
33. Charters of the Honour of Mowbray, ed. Diana E. Greenway, xx and n.4. Wigot had a son killed fighting for William against Robert in Normandy. ASC, D, s.a. 1079. The reference enables us to see one Englishman reconciled to the Normans and with a sister married to a Norman. It serves to remind us that he may have had brothers or sons

who also made their peace and were allowed to continue holding under their Norman in-law. Such men are almost invisible in our records. But their position was not necessarily humiliating; it may have been acceptable to be represented to the Normans, with their different customs of service, by a Norman. See Stenton, 'English Families,' for a reference to an English holder continuing 'at rent heavily and wretchedly,' cited in Domesday. The very sympathy of the commissioners might suggest that such exploitation was disapproved.

34. Lucy died in 1138. After Roger's death, their son, William de Roumare, became earl of Lincoln. The barony passed in the late twelfth-century to Lucy's heirs by her third husband, Ranulph le Meschin, earl of Chester. GEC vii, Appendix J. 743-6. I.J. Sanders, English Baronies, Oxford, 1960, 18, n.1. Lucy's father was probably the sheriff Thorold and her mother was certainly Beatrice, daughter of William Malet. Beatrice's dowry of Alkborough in Lincolnshire descended to Lucy.
35. The Carmen de Hastings Proelio of Guy bishop of Amiens, eds. Catherine Morton and Hope Muntz, Oxford 1972, 38.
36. The Malet genealogy is so obscure that we cannot be certain who the mother of Robert and wife of William really was. See C.W. Hollister, 'Henry I and Robert Malet,' Viator 4 (1973), 115-22. For her lands listed separately as in dispute between herself and the bishop of Bayeux, see DB ii, 450. For lands she held of the queen's fee and now from her son, DB ii, 310b. Her other lands are scattered, eg.

DB ii, 304b, 320. There is some further but slight reason to think that Edric was Robert Malet's antecessor in a closer sense than the usual 'predecessor' of Domesday terminology, for lands that Robert had never held could be described as having once been held by Edric and then William Malet, or by Edric, 'Robert Malet's antecessor'. DB ii, 148b, 260a, 332, 332b, 344, 346b, 376. The problem of the Anglo-Norman family is peculiarly complex. The half-English William and his possibly more than half-English son were unswervingly loyal to Duke William. William fought beside the duke at Hastings and tried to hold York in 1069, to which city he had significantly enough, taken his wife and children. That he met his death fighting for the Normans can be inferred from the numerous references in Domesday Book to the time when he 'went into the marsh', presumably during the fighting against Hereward. Eg. DB ii, 133b. Robert Malet was actively loyal at the dispossession of Ralph of Gael in 1074/5. Reg. i, 82 and Letters of Lanfranc, 126. In spite of this he not only failed to profit from Earl Ralph's fall, but he actually lost lands to the Normans who did profit, particularly William of Warenne and Roger Bigod, and to Count Alan the Red. In 1086 he no longer held the shrievalty that he had once held in Suffolk, and he attested no charters of William II. As Hollister points out, he held important office under Henry I and was a frequent attestor of Henry's charters. But when he died, ca. 1106, his heir was not allowed to inherit in England. ASC s.a. 1110, merely says he was deprived of his lands; Huntingdon 237, thought that this William, Robert's heir, had somehow 'injured the king', but knew no evidence of such an injury.

From Robert's earlier losses, there looks to have been continuing pressure to part this Anglo-Norman family from its English inheritance.

37. J. H. Round, Feudal England, London 1895, 324, and his Studies in Peerage and Family History, London 1901, 156, 165. Alured's daughter had been married first to Thurstin the Fleming, who died between 1075 and 1086. DB i, 183b. For 'gener et heres', see Orderic vi, 390. and for his notion that the hopes of alliances through marriage centered upon the children of the marriage, see Orderic vi, 122, 128-30.
38. The following is taken from Orderic iii, 7, 142-50.
39. For the problems in the identification of Siward, son of Aethelgar, see Orderic ii, 194, n. 4.
40. Although the claim is hardly comprehensible, it is clear, and must refer to French. Orderic had studied Latin for five years with Siward (Orderic iii, 6, 146 and n. 3;) vi, 552. It is quite possible that he went to live with his tutor and they talked in English and Latin. Even so, they lived in Shrewsbury which housed a Norman garrison and Orderic records words his father said to him on parting, Orderic vi, 552. His identification with the English however, is so strong that his later memory about his knowledge of languages was, 'Decennis itaque Britannicum mare transfretui, exul in Normanniam ueni . . . Linguam ut Ioseph in Aegypto quam non noueram audiui'. Orderic vi, 554.
41. Orderic was evidently told by his father to forget his family; he was

to be 'liber ab omni parentum cura et affectu laetifero . . .', Orderic iii, 146, and his failure to set down clearly his English ancestry and his mother's name may be a considerably complicated act of discipline.

42. Letters of Lanfranc, 166. It will be evident that I incline to Dr. Clover's choice of Bishop Geoffrey rather than Bishop Gundulph, as recipient, for I think that Lanfranc's ending, 'Et hoc est consilium regis et nostrum' points to the problem as being one for a royal justice rather than a bishop. Eadmer supposes it to have resulted from a council held soon after the first disturbances of the conquest. Eadmer, 129-30. Orderic, without mentioning the letter, puts the story with the events of the 1070s. Orderic ii, 268.
43. The sisters of Robert of Grandmesnil, abbot of S. Evroul are an example. They occupied ('morabantur') a chapel of S. Evroul, and the monks thought ('credebantur') in taking up residence that they had taken the veil. But after their brother's flight to Sicily and the news of his good fortune there, they left and followed him, one to marry Roger I Guiscard, count of Sicily. Orderic ii, 102-4. Two well-born ladies would hardly have attempted to make their way to Sicily alone. It seems clear that Robert sent for them, and the marriage indicates that he used them (with dowries no doubt, out of the possessions of his new abbey S. Eufemia) to strengthen alliances with other Norman adventurers in Sicily. It is the magnate marriage-pattern, as with Roger earl of Hereford and his sister Emma, and Roger of Montgomery and Amieria. See above.

44. Orderic ii, 266.
45. Simeon of Durham, 202-3.
46. Margaret was probably still a child. Her own first child was born in 1073/4 and she had a numerous family.
47. G. W. Barrow, Feudal Britain, London 1965, 129.
48. Whether on the Tweed or the Forth is not certain. Orderic places it on the Forth. Orderic iv, 268. The ASC and Florence of Worcester say more vaguely that Malcolm came into Lothian. ASC, s.a. 1091, Worcester, ii, 28. As Dr. Chibnall points out, the armies may have met at the Tweed, Orderic iv, 268, n.2.
49. Orderic iv, 270.
50. Ep. 177, S. Anselmi opera omnia, ed. F. S. Schmitt, Edinburgh 1946-61. The incident has been analysed by R. W. Southern, St. Anselm and his Biographer, Cambridge 1963, 183-5.
51. Whether she had earlier been at Romsey in the charge of her aunt Christina, a nun there, is unclear. According to Eadmer, Edith herself said that she was raised by her aunt. He also says she was brought up at Wilton. She may well have been taken to Wilton to await her father, who was negotiating the settlement with Rufus. Eadmer, 121-6. See E. A. Freeman, William Rufus ii, n. EE, 598 ff.
52. Worcester ii, 30-1.

53. See E. A. Freeman, William Rufus ii, Note CC, 592-6 for a review of the sources.
54. For Henry's later claim about his promise, and Anselm's story, see 'De Restauratione S. Martini Tornacensis,' MGH, SS, xiv 281. The story of Rufus seeing Edith, from the same source, is a peculiar one but Anselm's own source was the abbess of Wilton. Rufus rode to the nunnery with a frightening retinue of knights, and demanded entrance. The abbess, fearing for Edith's safety quickly got a veil on the child and while Rufus was pretending an interest in the cloister garden, he was allowed to glimpse her in the company of the other young nuns. Immediately he saw her so dressed he left. As far as Henry is concerned, he was at least with his brothers during the negotiations of 1091 and could have talked to Malcolm then. We do not know whether he was at Gloucester in 1093. Reg. i, no. 318.
55. For a summary of the events, see Southern St. Anselm, 185-93. Anselm's letters to Gunnilda are epp. 168 and 169.
56. Southern, St. Anselm, 188. This brother, Alan the Black, died in 1098.
57. Southern, St. Anselm 185, 188.
58. W. Farrer, VCH Yorks. ii, 156. Reg. i, 27 is a 'pseudo-charter' from the Register of the Honour of Richmond, conferring all of Earl Edwin's Yorkshire holdings on Alan, and this is borne out of Domesday Book. DB ii, 309-13.

59. W. E. Wightman, The Lacy Family in England and Normandy 1066-1194, Oxford, 1966, 40-2.
60. And was hardly necessary for protecting Henry's rear while he dealt with his Norman baronage. Cf. Southern, St. Anselm, 188. That had been already accomplished by keeping the young king of Scots and his brothers at the English court, which both Rufus and Henry did.
61. De Gestis Regum ii, 488. It is interesting to note that while both Rufus and Henry succoured the royal Scots children, Rufus kept them unmarried, while Henry married them into his family/baronage. David married Matilda, daughter of Earl Waltheof and Judith, and received their lands, to the exclusion of her son by Simon of St. Liz; Alexander married Sybil, one of Henry's own illegitimate daughters; Mary married Eustace of Boulogne, attaching the Honour of Boulogne once again to the royal house.
62. GEC xi App. D. Henry's brother, Duke Robert Curthose, can be found employing a daughter in precisely the same way: 'To prepare a barrier of defense against so many enemies (he) gave his daughter by a concubine in marriage to Helias son of Lambert of S. Saens, with Arques, Bures and all the neighbouring country for her marriage portion, to enable him to resist the enemy and defend the province of Caux'. Orderic iv, 182. It is the use to which Abbot Robert of Grandmesnil put his sister. See above, n. 41.
63. Cf. Georges Duby, Medieval Marriage, transl. E. Forster, Baltimore, 1978, 18-22.

64. Worcester, 634 and Simeon 11, 181, following him.
65. Orderic 11, 260-2, 111 216.
66. Orderic 111, 236-8. The Chronicle of Jocelin of Brakelond, ed. H. E. Butler, Edinburgh 1962, xix.
67. Monasticon Anglicanum, ed. W. Dugdale, iv, 104.
68. Reg. 11, no. 1389. It is a complicated marriage arrangement involving the custody of the lands of Maud's father and the wardship of her brother. In the event, her brother did not inherit and the entire Ridel inheritance went via Maud to her sons, Ralph Basset, who became lord of Dry Drayton, Staffs., part of Maud's lands (see Mon. Angl. iv 104), Geoffrey who took the name Ridel and became lord of Great Weldon Northants. Red Book of the Exchequer, ed. H. Hall, RS 1896, i, 329 ff, William, who became lord of Sapcote, Leics.